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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

DANIEL DONOHUE, individually and on behalf of all others similarly situated,

Plaintiff,

1

APPLE INC..

Defendant.

Case No. 5:11-cv-05337 RMW

CLASS ACTION

**JOINT STIPULATION FOR
EXTENSION OF TIME TO FILE
AMENDED COMPLAINT; [PROPOSED]
ORDER**

[N.D. CAL. CIVIL LR 6-2]

Judge: Hon. Ronald M. Whyte
Complaint Filed: November 3, 2011
Trial Date: None

JOINT STIPULATION FOR EXTENSION OF TIME TO RESPOND TO COMPLAINT; [PROPOSED] ORDER
CASE NO. 5:11-CV-05337-RMW
sf-3152892

1 Pursuant to Northern District Local Rules 6-1(b) and 6-2(a), Plaintiff and defendant Apple
2 Inc. ("Apple"), by and through their respective counsel, hereby stipulate as follows:

3 WHEREAS, on May 10, 2012, the Court entered an order granting Apple's motion to
4 dismiss;

5 WHEREAS, on June 1, 2012, the parties stipulated for Plaintiff to file a Second Amended
6 Complaint ("SAC") on or before July 11, 2012, and for Apple to answer or otherwise plead in
7 response thereto by August 1, 2012;

8 WHEREAS, the parties have met and conferred, and have agreed to extend Plaintiff's
9 time to file the SAC in order to allow the parties additional time to amend or supplement the
10 mediation protective order entered to allow Plaintiff to rely on confidential documents in
11 connection with the SAC;

12 WHEREAS, the parties also conferred and agreed to extend Apple's time to plead or
13 otherwise respond to the SAC;

14 WHEREAS, this is the second stipulation and request to extend time related to the SAC,
15 and the first stipulation and request to extend time related to the SAC for the stated reason, and
16 will not otherwise effect or alter any deadline set by this Court;

17 WHEREAS, facts and circumstances pertaining to the above-mentioned stipulations are
18 described in the Stepick Declaration filed contemporaneously herewith;

19 NOW THEREFORE, the parties stipulate as follows:

- 20 1. Plaintiff's time to file the SAC is extended to and including August 1, 2012.
- 21 2. Apple's time to plead or otherwise respond to the SAC is extended to and
22 including August 29, 2012.
- 23 3. Plaintiff's opposition to any motion filed by Apple in response to the SAC shall be
24 filed on or before September 26, 2012.
- 25 4. Apple's reply brief in support of any motion in response to the SAC, shall be filed
26 on or before October 17, 2012.
- 27 5. A hearing on Apple's responsive motion, if any, shall be set for November 2, 2012
28 at 9:00 a.m.

6. If Apple files a responsive motion to the SAC, Apple shall not be obligated to answer the SAC until after the Court rules on Apple's motion.

Dated: July 6, 2012

PENELOPE A. PREOVOLOS
STUART C. PLUNKETT
SUZANNA P. BRICKMAN
MORRISON & FOERSTER LLP

By: _____ /s/ Penelope A. Preovolos
Penelope A. Preovolos

*Attorneys for Defendant
APPLE INC.*

Dated: July 6, 2012

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By: /s/ Alex Stepick
Alex Stepick

Attorneys for Plaintiff
DANIEL DONOHUE

[PROPOSED] ORDER

Pursuant to Stipulation, IT IS SO ORDERED.

Dated: July 10, 2012

Ronald M. Whyte

Honorable Ronald Whyte